


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CITY OF GRASS VALLEY, )  
 ) 2:04-cv-00149-GEB-DAD  
Plaintiff, )  
 )  
v. ) ORDER  
 )  
NEWMONT MINING CORPORATION, a )  
corporation; NEWMONT USA LIMITED, )  
a corporation; NEWMONT NORTH )  
AMERICAN EXPLORATION LIMITED, a )  
corporation; NEW VERDE MINES LLC, )  
a limited liability company; )  
NEWMONT REALTY COMPANY, a )  
corporation, )  
 )  
Defendants. )  
\_\_\_\_\_ )

All matters are deemed submitted for decision except for the question of whether Defendants are present owners or operators of the Massachusetts Hill Mine and the Drew Tunnel. This includes the issue of whether an owner of the mineral rights to a facility is a liable "owner" under CERCLA. Arguments on these questions only will be heard November 5, 2007 at 1:30 p.m. in Courtroom 10.

IT IS SO ORDERED.

Dated: October 31, 2007

  
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GARLAND E. BURRELL, JR.  
United States District Judge